Preliminary Amendment dated October 21, 2003

Responsive to the Office Action of May 21, 2003

Attorney ref. no. 037003-0275470

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the

application:

Claims 42, 48, and 49 are amended, claims 60 and 70 are canceled, and new claims

71-73 are added.

42. (Currently Amended) A chimeric anti-human CD23 antibody which wherein

the light chain variable light domain comprises consists of the variable domain polypeptide

encoded by SEQ ID NO: 1, the heavy chain variable heavy domain comprises consists of the

variable domain polypeptide encoded by SEQ ID NO: 2, and eomprising the constant region

is a human constant region selected from the group consisting of human gamma -1 and

human gamma –3 constant regions.

43. The anti-human CD23 antibody of claim 42 wherein the human constant

region is a human gamma -1 constant region.

44. The anti-human CD23 antibody of claim 42 wherein the human constant

region is a human gamma -3 constant region

45. A composition containing an anti-human CD23 antibody according to claim

42 and a pharmaceutically acceptable carrier.

46. A composition containing an anti-human CD23 antibody according to claim

43 and a pharmaceutically acceptable carrier.

47. A composition containing an anti-human CD23 antibody according to

claim 44 and a pharmaceutically acceptable carrier.

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48. (Currently Amended) A chimeric anti-human CD23 antibody wherein the

light chain variable light domain comprises consists of the variable domain polypeptide

encoded by SEQ ID NO: 3, and the heavy chain variable heavy domain comprises consists of

the variable domain polypeptide encoded by nucleotides 58-411 of SEQ ID NO: 4, and the

constant region is a human constant region selected from the group consisting of a human

gamma -1 constant region and a human gamma -3 constant region.

49. (Currently Amended) A chimeric anti-human CD23 antibody wherein the

light chain variable light domain comprises consists of the variable domain polypeptide

encoded by SEQ ID NO: 3 and the heavy chain variable heavy domain comprises consists of

the variable domain polypeptide encoded by SEQ ID NO: 4 with the exception that the

asparagine codon at position 75 encoded by nucleotides 289-291 of SEQ ID NO: 4 is

replaced with a lysine codon.

50. The anti-human CD23 antibody according to claim 48 which comprises a

human gamma -1 constant region.

51. The anti-human CD23 antibody according to claim 48 which comprises a

human gamma -3 constant region.

52. The anti-human CD23 antibody according to claim 49 which comprises

gamma -1 constant region.

53. The anti-human CD23 antibody according to claim 49 which comprises a

human gamma -3 constant region.

54. A composition comprising an anti-human CD23 antibody according to

claim 48 and a pharmaceutically acceptable carrier.

55. A composition comprising an anti-human CD23 antibody according to

claim 49 and a pharmaceutically acceptable carrier.

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56. A composition comprising an anti-human CD23 antibody according to

claim 50 and a pharmaceutically acceptable carrier.

57. A composition comprising an anti-human CD23 antibody according to

claim 51 and a pharmaceutically acceptable carrier.

58. A composition comprising an anti-human CD23 antibody according to

claim 52 and a pharmaceutically acceptable carrier.

59. A composition comprising an anti-human CD23 antibody according to

claim 53 and a pharmaceutically acceptable carrier.

60. (Canceled).

61. The composition of claim 45, which composition is a pharmaceutical

composition.

62. The composition of claim 46, which composition is a pharmaceutical

composition.

63. The composition of claim 47, which composition is a pharmaceutical

composition.

64. The composition of claim 54, which composition is a pharmaceutical

composition.

65. The composition of claim 55, which composition is a pharmaceutical

composition.

66. The composition of claim 56, which composition is a pharmaceutical

composition.

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67. The composition of claim 57, which composition is a pharmaceutical

composition.

68. The composition of claim 58, which composition is a pharmaceutical

composition.

69. The composition of claim 59, which composition is a pharmaceutical

composition.

70. (canceled).

71. (new) The chimeric anti-human CD23 antibody of claim 42, wherein the light

chain variable domain consists of the polypeptide encoded by nucleotides 58-390 of SEQ ID

NO: 1, and the heavy chain variable domain consists of the polypeptide encoded by

nucleotides 58-423 of SEQ ID NO: 2.

72. (new) The chimeric anti-human CD23 antibody of claim 48, wherein the light

chain variable domain consists of the polypeptide encoded by nucleotides 67-387 of SEQ ID

NO: 3, and the heavy chain variable domain consists of the polypeptide encoded by

nucleotides 58-411 of SEQ ID NO: 4.

73. (new) The chimeric anti-human CD23 antibody of claim 49, wherein the light

chain variable domain consists of the polypeptide encoded by nucleotides 67-387 of SEQ ID

NO: 3, and the heavy chain variable domain consists of the polypeptide encoded by

nucleotides 58-411 of SEQ ID NO: 4 with the exception that the asparagine codon encoded

by nucleotides 289-291 of SEQ ID NO: 4 is replaced with a lysine codon.

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